UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TENNESSEE AT CHATTANOOGA

UNITED STATES OF AMERICA, ex rel. [UNDER SEAL])	
	Plaintiffs,)))) Civil Action No. 1:09-CV-126) Collier/Lee
[UNDER SEAL],	v.)	
	Defendants.)	

FILED UNDER SEAL

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TENNESSEE AT CHATTANOOGA



UNITED STATES OF AMERICA, et al. ex rel. VETETO et al.,	U.S. DISTRICT COURT EASTERN DIST. TENH.
Plaintiffs/Relators,	Civil Action No.1:09-CV-126 Collier/Lee
v.)
COFFEE MEDICAL GROUP, LLC, et al.,)) <u>FILED UNDER SEAL</u>)
Defendants.)))

UNITED STATES' AND STATE OF TENNESSEE'S NOTICE OF ELECTION TO INTERVENE IN PART, FOR PURPOSES OF SETTLEMENT, AND TO DECLINE TO INTERVENE IN PART

Pursuant to the False Claims Act, 31 U.S.C. § 3730, and the Tennessee Medicaid False Claims Act, Tenn. Code Ann. § 71-5-183(b)(4)(A), respectively, the United States of America and the State of Tennessee notify the Court of their respective decisions to intervene in this action, in part, for purposes of settlement, and to decline to intervene in part. The United States and Tennessee intervene, for purposes of settlement, as to Defendant Coffee Medical Group, LLC, formerly doing business as United Regional Medical Center (hereafter "CMG"). The United States and Tennessee decline to intervene as to any other named party.

The United States, Tennessee, Relators, and CMG have reached an agreement to resolve certain allegations against CMG. A copy of the Settlement Agreement is attached to this Notice

as Exhibit 1. Pursuant to the Settlement Agreement (paragraph 24), the parties will file a stipulation to dismiss this Civil Action, in its entirety, upon receipt of all settlement proceeds.¹

Lastly, the United States and that State of Tennessee request that the Court enter an Order reopening this case, which the Court administratively closed by Order [Doc. 46] entered June 15, 2012, and directing the Clerk to unseal this matter.

Respectfully submitted,

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By:

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¹ The United States and the State of Tennessee are currently prepared to stipulate to the dismissal of the Civil Action without delay, but understand that there are unresolved issues pending between Relators and Defendants. Accordingly, the United States and the State of Tennessee respectfully suggest that a status conference may assist the Court and the parties in ascertaining the status and potentially disposing of any outstanding matters in this case.

CERTIFICATE OF SERVICE

I hereby certify that on the 24 day of January, 2017, a true and correct copy of the foregoing Notice of Partial Intervention was mailed first class, postage paid to the following:

O. Michael Carter, Esq. 9405 Apison Pike Ooltewah, TN 37363 Attorney for Relators

Jeremy S. Dykes

Assistant U.S. Attorney